monwealth, 94 Southwestern Reporter, 623. The college attempted to distinguish the case at bar from cases upholding the separation of the races as applied to public schools, common carriers, etc., on the ground that the association in the present case was voluntary; but the court rejects this, with the argument that the aim of this legislation is something more important than the matter of choice, and sets out at length the general purposes of this exercise of the police power of the state. The court rejects the contention that the law violates the fourteenth amendment to the federal constitution by pointing out that there is no discrimination against either race, but the court does hold unconstitutional that proviso which prohibits an institution of learning from maintaining separate and distinct schools for white and colored persons less than twenty-five miles apart.

Exemptions—Partner Had Retired from Firm.—Where a partner retires from the firm and continues with it as a clerk, and frequently declares in conversation that he is no longer one of its members, it is held, In re Fowler & Co., 16 Am. B. R. 580, that his petition for exemptions out of the assets of the firm in bankruptcy will be dismissed, as to allow such claim would be to perpetrate a fraud upon the creditors of the firm.

Bankruptcy Debts—Action by Trustee to Recover—Defendant May Plead Claim though Not Proved in Bankruptcy.—In Norfolk & W. R. Co. *v.* Graham, 16 Am. B. R. 610, it has been held that where the claim of a creditor exceeds his debt to the bankrupt, he must prove his claim within the time limit fixed by section 57n, in order to share in the distribution of the estate, but his failure to make such proof does not preclude him from pleading his claim in diminution of, or to defeat the claim of the trustee, upon the debt due the bankrupt estate, when asserted in an independent action.

Separation of White and Colored Passengers.—Considerable light is thrown upon the constitutional requirement as to legislation relative to the separation of the races in public conveyances by three cases recently decided in Florida. In the first case (State *v.* Patterson, 39 Southern Reporter, 398) the court holds that a statute requiring street car companies to provide separate compartments for the races, and prohibiting persons of either race from occupying the compartment set apart for the other race, but providing that the act shall not apply to colored nurses having the care of white children or sick white persons, is void for discrimination. In the subsequent cases of Crooms *v.* Schad, 40 Southern Reporter, 497, and Patterson *v.* Taylor, 40 Southern Reporter, 493, two city ordinances containing much the same provisions, one of which, however, excepted all nurses from its provisions while the other contained no exception whatever, were upheld.